

MEMORANDUM FOR:

11 AUG 1978
Administrative Officer, DCI

OLC RECORD COPY STAT

FROM:

Frederick P. Hitz
Legislative Counsel

E.O.
12065

SUBJECT:

Executive Order 12065 - Classified Material
Requiring Exemption from Automatic Down-
grading and Declassification

1. (A/IUO) This is in response to your memorandum of 19 July 1978 asking that we identify classified material unique to this Office which requires exemption from the automatic downgrading and declassification provision of E. O. 12065.

2. (A/IUO) Almost all substantive intelligence and sources and methods information contained in documents originated by the Office of Legislative Counsel is derivative, and would be covered by the descriptions of material requiring exemption which have been supplied by the Directorates.

3. (A/IUO) We believe that the following categories of OLC-produced documentation which usually, but do not necessarily, contain information covered by the Directorates' descriptions, should also be exempted from automatic downgrading and declassification:

--material related to sensitive negotiations, agreements, and relationships between the Director of Central Intelligence or the Central Intelligence Agency and other Government agencies, departments, independent establishments, or individuals. This would include, for example, classified exchanges related to the potential effects of proposed legislation on the DCI or CIA.

--material which relates to sensitive relationships or exchanges of information between the Members, committees, or staffs of the Senate or House of Representatives and the Director of Central Intelligence or the Central Intelligence Agency. This would include classified assessments of the potential effects of proposed legislation on the DCI or CIA.

Frederick P. Hitz

Dist.: Orig - Addressee

1 - OLC Subject 1 - OLC
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OLC:GMC:mlg (10 August 1978)

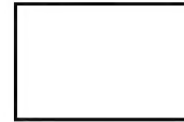
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TO :	[Redacted]	TYPE OF REQUEST
FROM :	GMC <i>[Signature]</i> 11 AUG 1978	SUSPENSE DATE

SUBJECT: Reply to [Redacted] Memorandum on E.O. 12065

NOTES

This action due 11 August was received in C&R on 9 August. I have spoken with [Redacted] who says that all submissions will be reviewed by the ISAS. Our reply seeks a specific exemption category for documents related to sensitive interchanges between the DCI and/or CIA and other executive or legislative entities. I can't estimate the chances for success, but I think its worth a try . The response has been shown in draft to RLB and THW.



COORDINATED WITH (list names as well as offices)

NAME	OFFICE	DATE
NAME	OFFICE	DATE
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ACTION REQUIRED BY GLC

FYI

☐ UNCLASSIFIED

☒ INTERNAL
USE ONLY

☐ CONFIDENTIAL

☐ SECRET

Approved For Release 2004/08/19 : CIA-RDP81M00980R000100090011-0

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

EO 12065

FROM:

Administrative Officer, DCI

EXTENSION

NO.

OLC #78-23741

DATE

19 July 1978

TO: (Officer designation, room number, and building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Legislative Counsel

2.

3.

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15.

OLC #78-2374/1

19 July 1978

MEMORANDUM FOR: See Distribution

FROM : [REDACTED]
Administrative Officer, DCI

SUBJECT : EO 12065

1. The Information Systems Analysis Staff (ISAS) is preparing the unclassified guidelines for declassification review required by EO 12065. These guidelines will be published in the Federal Register. ISAS has received from all four directorates descriptions of material requiring continued classification beyond twenty years (copies attached).

2. ISAS has requested that we identify classified material, unique to the DCI, the DDCI, and the Independent Offices requiring exemption from automatic downgrading and declassification. It will not be necessary to repeat categories of information listed in the directorate guidelines.

3. Please advise, by 11 August 1978, of any information generated by DCI Area offices which will require classification beyond the twenty-year limit specified in EO 12065 and which is not already covered by the guidelines submitted by the directorates. Any questions regarding this matter should be directed to Bob

[REDACTED] Red Line [REDACTED]

Attachment: Declassification Guidelines

Distribution:

SA/DDCI
Executive Secretary
Inspector General
Comptroller

General Counsel
Legislative Counsel
A/DCI/PA
Director, EEO

cc: ISAS

2. SYSTEMATIC CLASSIFICATION REVIEW

a. **GENERAL.** This regulation prescribes policies and responsibilities for CIA's systematic classification review of permanent, noncurrent records or portions thereof in accordance with the requirement of Executive Order 11652 that thirty year old records be declassified unless the head of an agency determines that continued classification is required.

b. DEFINITIONS

- (1) **RECORDS** (see HR 70-1b(2))
- (2) **INFORMATION** is the content or any portion of a record
- (3) **SYSTEMATIC REVIEW** is the methodical examination of records in accordance with officially promulgated guidelines to determine whether continued protection is required
- (4) **OFFICIALLY PROMULGATED GUIDELINES** are instructions issued by Agency components to identify information that warrants continued protection because such protection is essential to the national security or disclosure would place a person in immediate jeopardy.
- (5) **PERMANENT, NONCURRENT RECORDS** are records that have been determined to be of permanent value so as to require retention according to Records Control Schedules approved by the Archivist of the United States but which are no longer necessary for the conduct of official business.

c. RESPONSIBILITIES

- (1) The Records Review Branch, Information Systems Analysis Staff, Directorate of Administration, is responsible for the centralized direction, conduct, and management of the Systematic Classification Review Program. Senior officers are assigned to the Branch from each component having administrative responsibility for records requiring systematic review. These officers will assist in solving problems associated with materials for which their components are responsible. To provide for the expertise required for centralized review, the Records Review Branch may recruit throughout the Agency.
- (2) The Records Review Branch will:
 - (a) Assist Agency components in the preparation of guidelines
 - (b) Prepare and coordinate procedures necessary for conducting systematic reviews
 - (c) Conduct systematic reviews of all permanent, noncurrent records of any present or former component of the Agency or predecessor organization, the responsibilities and functions of which are now held by the Agency, and in records of non-Agency origin, of information over which the Agency has classification authority.
 - (d) Declassify records that do not require continued protection
 - (e) In the case of records that require continued protection, obtain the Director's approval of downgrading, upgrading, or retention of the original classification
 - (f) Segregate the records reviewed
 - (g) Identify to responsible Agency officials those declassified records that may be offered to the National Archives and Records Service (NARS) for accession
 - (h) Establish and maintain official liaison with other Federal agencies that hold classified CIA records or copies thereof and whose classified records or copies thereof reasonably can be expected to be present in Agency files
 - (i) Establish and maintain official liaison with appropriate NARS officials to ensure that systematic reviews are conducted in accordance with NARS policy.

3-4. Reserved.

20 March 1975 (1117)

4-5-4.1

CONFIDENTIAL

4 APR 1977

MEMORANDUM FOR: Chairman, Executive Advisory Group

FROM : John F. Blake
Deputy Director for Administration

SUBJECT : Action Plan for the 30-Year Declassification
Review Program

1. On 1 March 1977, the members of the Executive Advisory Group were briefed on the scope of and the requirements for adequately staffing and supporting the Agency's Thirty Year Declassification Review Program.

2. Upon completion of this briefing, those in attendance discussed how best to deal with this required undertaking and came to an agreement in principle on those items contained in the attached action plan which is now being forwarded to you for your approval.

John F. Blake

Attachment: a/s

() Approved () Disapproved

Chairman, Executive Advisory Group

Date

Distribution:

- Original - Chairman, EAG (to be returned to DDA/ISAS)
- 1 - Chairman, EAG
- 1 - ER
- 2 - DDA

ACTION PLAN FOR THE 30-YEAR DECLASSIFICATION REVIEW PROGRAM

1. That a centralized Agency unit, the Records Review Branch, be established within the DDA under the Information Systems Analysis Staff (ISAS) to conduct the systematic declassification review of all records, documents, and information originated by or clearly attributable to the Central Intelligence Agency or its predecessors in accordance with Section 5E of Executive Order 11652, the National Security Council Directive of 17 May 1972 and Section 3(d)(1)(viii) of Executive Order 11905.

2. That each directorate and the DCI's office immediately detail one officer (preferably senior enough to be able to make decisions and commitments for his/her organization) to the Records Review Branch to assist in the Staff's initial organization, including the preparation of review guidelines for the 1946-1950 time period. Additional personnel will be assigned as specific workloads are identified and it is currently estimated that a total of 30 full-time reviewers (13 DDO; 7 DDA; 6 DDI; 2 DDS&T; 2 DCI), seven clericals and three supervisors will be required to review and process the records associated with the 1946-1950 time period. It is understood that pending allocation of adequate resources for the 30-Year Declassification Review Program, staffing will be accomplished through the assignment of detailees with the assigning organization absorbing all costs involved. This situation will be eliminated in FY-79 if the 40 new positions and the \$1.1 million the DDA will include for this project in its FY-79 program requirements are approved.

3. That each directorate be requested to officially designate a senior focal point officer to aid and assist the Records Review Branch in promptly solving unique problems associated with the review and handling of information generated by his/her organization.

4. That each directorate and independent office initiate, upon notification by the Records Review Branch, a systematic survey of its inactive file holdings at the Agency Archives and Records Center. This survey would be conducted by the directorate or independent office records management officers according to guidelines provided them by the Records Review Branch. The purpose of this survey will be to:

a. determine the content and time frame of inactive files (now inadequately identified) in order that a direct, systematic review can be organized;

b. determine if there are any inactive files that can be declassified without a page-by-page review; and

c. purge Agency holdings of all inactive records officially certified as disposable prior to the start of any actual review activity.

To obtain maximum benefits, this final aspect of the survey should be coordinated with, and monitored by, ISAS, Records Administration Branch.

5. That the Records Review Branch be officially delegated the authority to make declassification decisions on documents and information:

a. originated by any present or former component of the Agency;

b. originated by a predecessor organization, the responsibilities and functions of which are now held by the Agency; and

c. information over which the Agency has exclusive or final authority appearing in documents of non-Agency origin.

6. That action be initiated by the Records Review Branch to officially establish liaison contacts with other Federal agencies who hold classified CIA documents or whose classified documents and information can reasonably be expected to be present in Agency files.

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Next 5 Page(s) In Document Exempt

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DDA DECLASSIFICATION REVIEW GUIDELINES

OUTLINE: DDA REVIEW GUIDELINE

I.	General Guidance	1
II.	Sources and Methods	2
III.	Official Liaison	5
	1. Foreign	5
	2. Domestic	5
IV.	Intelligence Administration	5
	1. Personnel and Cover	5
	2. Finance	6
	3. Logistics and Support	7
V.	Equipment and Research	8

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Appendix:	Equipment Designation Abbreviations
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Guidelines for the Declassification Review of DDA Records

I. GENERAL GUIDANCE

1. The following guidelines are to be utilized for the declassification review of all documents, information, and other materials originated by or attributable to the Directorate of Administration and/or functional predecessors over which it still maintains original or final authority.

2. These guidelines are to be applied to all DDA-originated material, wherever located. They do not supersede restrictions imposed by the originators of documents and information over which the DDA does not exercise exclusive or final jurisdiction. No declassification action is permitted without the authorization of officially approved guidelines.

3. Classified documents and information furnished by a foreign government, international organization (or official representative thereof), or produced jointly with a foreign government or international organization shall be exempt from automatic declassification without the approval of the foreign government or international organization concerned.

4. Subject to approval by the originator of the information or functional successor, documents and information which would ordinarily be exempted from declassification may be declassified if it is determined that, based on prior official disclosure or other considerations, current or future equities clearly would not be adversely affected by declassification, provided that the information has been released in its entirety and not on a fragmentary basis.

5. Some documents, information, and other material falling within the exemption criteria described in these guidelines may have been originated in an unclassified format. If such material is located in the course of review, it is to be identified for further action by the originating component or its successor. Such material will be handled as if it were classified.

6. Classified documents, information, or other materials specifically protected by statute will receive continued protection in accordance with the provisions of the relevant statute. Restricted Data and Formerly Restricted Data shall be downgraded and declassified in conformity with the provisions of the Atomic Energy Act of 1954 (as amended) and appropriate regulations issued in accordance thereto.

7. Unless otherwise specified, all documents to be certified as requiring continued protection beyond 20 years will be protected at the Confidential level. Any compartmentation will continue to apply unless otherwise stated. Material exempted from automatic declassification will be protected in accordance with statute, pertinent executive orders, and appropriate Agency regulations.

8. Prior to 1954, the word "Restricted" was used to designate a fourth classification level. During the review any material found so marked should be treated at the Confidential level; however, do not confuse this classification with that of "Restricted Data" which is used by ERDA.

9. Sections II-VI below describe in detail specific declassification review guidelines. Documents which are found to contain information described in these sections are to retain classification if released to the public the material could reasonably be expected to:

- (A) cause damage to the national security;
- (B) have an adverse effect upon foreign relations;
- (C) place a person in immediate jeopardy;

(D) compromise intelligence sources and methods which require protection as prescribed by the National Security Act of 1947 and the CIA Act of 1949.

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
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APPROVED:



Michael J. Malanick
Acting Deputy Director
for
Administration

Date

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Rodgers

DO/ISS 77-461

2 December 1977

MEMORANDUM FOR: Deputy Director for Operations

FROM: William F. Donnelly
Chief, Information Services Staff

SUBJECT: Declassification Guidelines for
Reviewing DDO Records

1. ACTION REQUESTED: This memorandum requests your approval of the attached Declassification Review Guidelines for DDO Records.

BACKGROUND:

2. Forwarded herewith are the Directorate of Operations Classification Review Guidelines for use in the declassification review of DO records. They were prepared in accordance with the requirements of Executive Order 11652, the National Security Council implementation directive of 1 June 1972, and relevant statutes. They will now be used to fulfill the requirement contained in the draft of the new Executive Order which will replace EO 11652. The new Executive Order will require that within 180 days after the effective date of the order, now expected on or about 1 April 1978, the heads of certain agencies, including the head of the CIA, will, in consultation with the Archivist of the United States, issue declassification guidelines which shall be applicable to 20-year-old information classified under their respective jurisdictions and for which a prior automatic declassification date has not been established. These guidelines are to specifically identify those items or categories of information which, because of their probable continuing sensitivity and importance to the national security interest, cannot be automatically declassified but must be reviewed to determine whether there is a need for continued classification beyond 20 years. Information not identified in these guidelines

as requiring review will be automatically declassified at the end of 20 full calendar years from its date of origin. A copy of these guidelines will be made available to the Archivist of the United States.

3. The attached classification review guidelines will be filed with DDA/ISAS and used by the DDO Classification Review team to review all DO records. The guidelines are to be applied to all documents, information, and materials which were originated by or are attributable to the Directorate of Operations and/or functional predecessors and over which the Agency still maintains original or final authority.

[Redacted Signature]

William F. Donnelly

Attachment: a/s --

APPROVED:

[Redacted Signature]

Deputy Director for Operations

16 DEC 1977

Date: _____

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